

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: CHAIRMAN JEFF ESSMANN, on January 14, 2009 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jeff Essmann, Chairman (R)
Sen. Taylor Brown, Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. Gary Branae (D)
Sen. Ron Erickson (D)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Bradley Hamlett (D)
Sen. Christine Kaufmann (D)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Bob Story Jr. (R)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 115, 1/7/2009; SB 116, 1/7/2009

Executive Action: SB 116

MONTANA DEPARTMENT OF REVENUE PRESENTATION

00:00:30 C. A. Daw, Chief Legal Officer, Department of Revenue
(DOR)
00:09:46 Chairman Essmann
00:10:00 C. A. Daw, DOR
00:10:17 Sen. Brown
00:10:30 C. A. Daw, DOR
00:12:03 Karen Powell, Chairwoman, Montana State Tax Appeal
Board

EXHIBIT (tas08a01)

00:14:54 Chairman Essmann
00:15:33 Karen Powell
00:16:07 Gene Walborn, (DOR)

EXHIBIT (tas08a02)

00:19:57 Sen. Gebhardt
00:20:23 Gene Walborn, DOR
00:26:37 Sen. Black
00:26:49 Gene Walborn
00:27:35 Sen. Brown
00:27:46 Gene Walborn
00:28:11 Chairman Essmann
00:28:24 Gene Walborn

EXHIBIT (tas08a03)

00:31:01 Sen. Erickson
00:31:27 Gene Walborn
00:32:46 Sen. Hamlett
00:33:09 Gene Walborn
00:33:50 Debbie Jurcich, Management Analyst, (DOR)
00:37:50 Chairman Essmann
00:38:06 Debbie Jurcich, DOR
00:39:22 Sen. Tutvedt
00:39:48 Debbie Jurcich
00:41:02 Sen. Brown
00:41:29 Sen. Gebhardt
00:41:55 Debbie Jurcich
00:46:32 Sen. Gebhardt
00:46:41 Debbie Jurcich
00:49:36 Chairman Essmann
00:50:15 Debbie Jurcich
00:50:39 Sen. Tutvedt
00:50:56 Sen. Black
00:51:22 Debbie Jurcich
00:55:00 Chairman Essmann
00:55:11 Debbie Jurcich
00:58:04 Sen. Erickson
00:59:10 Mary Kragle
00:59:42 Sen. Black

MONTANA DEPARTMENT OF REVENUE PRESENTATION (con't)

01:00:06 Debbie Jurcich
 01:05:30 Sen. Kaufmann
 01:05:58 Debbie Jurcich
 01:06:59 Sen. Brown
 01:07:35 Debbie Jurcich
 01:07:57 Mary Kragle, Economist, DOR
 01:08:39 Sen. Tutvedt
 01:09:11 Debbie Jurcich
 01:11:21 Sen. Erickson
 01:12:06 Debbie Jurcich
 01:14:05 Sen. Kaufmann
 01:14:33 Debbie Jurcich
 01:15:36 Mary Kragle
 01:16:08 Debbie Jurcich
 01:17:36 Sen. Kaufmann
 01:17:51 Debbie Jurcich
 01:20:41 Sen. Erickson
 01:21:08 Debbie Jurcich
 01:22:13 Sen. Kaufmann
 01:22:41 Debbie Jurcich
 01:22:51 Chairman Essmann
 01:23:06 Debbie Jurcich
 01:25:49 Sen. Tutvedt
 01:26:15 Debbie Jurcich
 01:29:07 Chairman Essmann

 01:30:27 Recess
 01:39:10 Reconvene

HEARING ON SB 116

Opening Statement by Sponsor:

01:39:28 **SEN. JIM KEANE (D), SD 38**, opened the hearing on
SB 116, Clarify aviation fuel tax distribution.

Proponents' Testimony:

01:40:34 Debbie Alke, Administrator, Department of
 Transportation
 01:41:36 Tom Ebzery, representing Montana Airport Managers'
 Association, Billings

Opponents' Testimony:

01:42:19 None

Informational Testimony:

01:42:29 None

Questions from Committee Members and Responses:

01:42:43 Sen. Gillan

01:43:20 Debbie Alke

Closing by Sponsor:

01:43:44 Sen. Keane

HEARING ON SB 115

Opening Statement by Sponsor:

01:44:11 **SEN. CHRISTINE KAUFMANN (D), SD 41**, opened the hearing on **SB 115**, Simplify income calculations for certain property tax assistance programs.

Proponents' Testimony:

01:47:57 Randy Wilke, Property Assessment Division, (DOR)

01:52:18 Concetta Eckel, Volunteer and Tax Preparer Assistant for Montana Non-Profit organizations plus representing AARP

EXHIBIT (tas08a04)

01:54:21 Mary Whittinghill, Montana Taxpayers Association

01:55:35 Holly Franz, representing Montana Association of CPA's

01:56:02 Rhonda Wiggers, representing Montana County Treasurers' Association

01:56:37 Tara Veazey, Montana Budget and Policy Center

Opponents' Testimony:

01:57:04 None

Informational Testimony:

01:57:08 None

Questions from Committee Members and Responses:

01:57:13 Sen. Black
01:57:43 Sen. Kaufmann
01:57:53 Lee Heiman, Legislative Services Division (LSD)
01:58:26 Sen. Erickson
02:00:00 Sen. Kaufmann
02:01:07 Concetta Eckel, AARP
02:02:52 Sen. Gebhardt
02:03:18 Randy Wilke, DOR
02:04:19 Sen. Brown
02:04:51 Randy Wilke
02:05:37 Chairman Essmann
02:06:26 Randy Wilke
02:14:05 Chairman Essmann
02:15:05 Rhonda Wiggers
02:15:35 Sen. Gebhardt
02:16:53 Chairman Essmann
02:17:06 Sen. Brown
02:17:17 Mary Whittinghill

Closing by Sponsor:

02:19:12 Sen. Kaufmann

EXECUTIVE ACTION ON SB 116

02:24:00 **Motion:** SEN. GILLAN moved that **SB 116 DO PASS.**

Discussion:

02:24:10 Sen. Gillan
02:24:48 Sen. Gebhardt

02:25:25 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 21

02:25:59 **Motion:** SEN. KAUFMANN moved that **SB 21 DO PASS.**

Discussion:

02:26:21 Sen. Story
02:28:24 Sen. Brown

02:29:00 **Motion:** SEN. BROWN moved that **SB 21 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**

Discussion:

02:29:52 Sen. Kaufmann
02:31:16 Sen. Story
02:31:27 Lee Heiman, LSD
02:32:00 Sen. Kaufmann
02:32:17 Chairman Essmann

02:33:00 Without objection, Sen. Brown withdrew the motion to
amend.

02:32:35 Without objection, Sen. Kaufmann withdrew the DO PASS
motion.

Committee Business:

02:33:18 Sen. Story
02:33:58 Chairman Essmann

ADJOURNMENT

Adjournment: 10:45 A.M.

DEBRA POLHEMUS, Secretary

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Additional Exhibits:

EXHIBIT ([tas08aad.pdf](#))